

OCT 13 2006

Application No.: 10/829,311

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Docket No.: 249212026300

REMARKS

The Examiner has stated that the two groups describe two distinct inventions related as product and process of use. The Examiner has required restriction between:

- I. Claims 1-9, drawn to a "data drive", classified in class 360, subclass 96.5.
- II. Claims 10-22, drawn to a "method of operating a data drive", classified in class 360, subclass 69.

Applicant hereby elects claims 1-9 for further prosecution, without traverse.

Applicant expressly reserves the right under 35 U.S.C. § 121 to file divisional applications directed to the non-elected subject matter during the pendency of this application or an application claiming priority from this application.

If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

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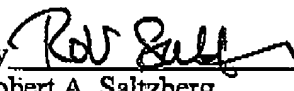
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CONCLUSION

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 249212026300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 13, 2006

Respectfully submitted,

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